

REMARKS/ARGUMENTS

Claims 1-20 are pending in the application. Claims 1, 5, 8, 12, 15, and 19 have been amended to clarify certain terms. Reconsideration is respectfully requested. Applicants submit that the pending claims 1-20 are patentable over the art of record and allowance is respectfully requested of claims 1-20.

Applicants would like to thank Examiner Rose for holding a telephone interview with their representative, Janaki K. Davda, on April 27, 2006, at 2:30 p.m. (EST). During the telephone interview, claim 1 and the Segev patent were discussed. Applicants' representative attempted to clarify the term "copy services solution" and indicated that the Segev patent does not convert the sidefile to executable code. No agreement was reached.

In an Office Action mailed on January 11, 2006, claims 1, 8, and 15 were rejected under 35 U.S.C. 102(e) as being anticipated by Segev et al. (U.S. Patent No. 6,848,021). Applicants respectfully traverse.

Anticipation requires that the identical invention must be shown in a single reference in as complete detail as is contained in the claims. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Applicants respectfully submit that the Segev patent does not describe the identical invention claimed.

Claims 1, 8, and 15 describe creating a copy services solution. A document describing the copy services solution is received. The copy services solution describes one or more base copy services solutions described with base copy types and an event and an action to be performed for that event (e.g., Specification, page 6, paragraph 18; page 7, paragraph 20; page 8, paragraph 24). Also, the document is not directly executable (e.g., Specification, page 14, paragraph 33). The document is converted to executable code. The code is executed to perform the one or more base copy services solutions described with base copy types in the document.

The Segev patent describes a sidefile that is used to capture data modifications and preserve images of data to be copied by different types of copy services (Col. 2, lines 19-22). A sequence of entries are added to the sidefile specifying copy operations to be respectively

performed by copy services in the system (Col. 2, lines 37-40 and 55-65). The copy operations specified by the operations are executed (Col. 2, lines 442-43).

In the Segev patent, the entries that are added to the sidefile specify copy operations, and the entries are executed. Thus, the sidefile does not anticipate *a document that is not directly executable* and that is converted to code. Also, the Segev patent describes that an entry is created in a sidefile when data are written (Col. 4, lines 53-56), which does not anticipate *receiving a document describing the copy services solution*, wherein the copy services solution describes one or more base copy services solutions described with base copy types and an event and an action to be performed for that event. Moreover, the sidefile of the Segev patent captures modifications (Col. 5, lines 11-24), and does not describe an event and an action to be performed for that event.

Therefore, Applicants submit that claims 1, 8, and 15 are not anticipated by the Segev patent.

Conclusion

For all the above reasons, Applicants submit that the pending claims 1-20 are patentable over the art of record. Applicants have not added any claims. Nonetheless, should any additional fees be required, please charge Deposit Account No. 09-0449.

The attorney of record invites the Examiner to contact her at (310) 553-7973 if the Examiner believes such contact would advance the prosecution of the case.

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